

Applicant : Warren Dalziel  
Serial No.: 09/917,250  
Filed : July 27, 2001

Attorney's Docket No.: 08173-048001

REMARKS

Applicant has amended the Abstract to comply with the request made in the non-final office action. No new matter is added.

Claim 1 stands rejected under 35 USC 102 (e) as allegedly being anticipated by Katao. This contention, however, is respectfully traversed.

Claim 1 recites, in part, "an optical head having an optical interfacing surface which is operable to couple radiation energy to and from the optical disk held by the disk holder for reading data from or writing data to the optical disk" and "a load actuator operable to apply a force to cause said optical head to contact the optical disk at a contact location of said optical interfacing surface when reading or writing data." Notably, Claim 1 specifically states "the contact location of said optical interfacing surface when reading or writing data." That is, the optical interfacing surface that is used couple radiation energy to and from the optical disk is in contact with the optical disk.

The special contact design in Claim 1 is in part to eliminate the technical issues associated with flying optical heads over the disk with a gap. Various factors can cause the gap to vary and such variation can adversely affect the head

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operation, especially for the "near-field" optical heads. The device in Claim 1 places the optical interfacing surface in contact with the disk during reading and writing to completely eliminate any gap between the optical interfacing surface and the disk.

Referring to FIG. 2A of this application, the optical interfacing surface 236 of the lens 230 directly contacts the disk. This is one example described in this application to support the contact design in Claim 1.

In stark contrast, Katao describes a conventional optical disk drives where the coupling lens 22 is not in direct contact with the disk during reading and writing. Katao does not address any technical problems with the gap between the lens 22 and the disk. In addition, Katao does not provide any design feature in the lens 22 to allow for direct contact between the lens 22 and the disk. In particular, Katao's optical head places the relatively small lens 22 in the relatively large slider 23. In real operation of such an optical head, it is not technically feasible to contact the lens 22 with the disk. This is in part because the Katao's design does not provide any structural feature to allow for such direct contact. While Katao does describe the slider 23 is always in contact with the surface of the optical disk in Col. 7, lines 57-60, Katao completely fails to teach that the bottom optical surface of the

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lens 22 is in direct contact with the surface of the optical disk.

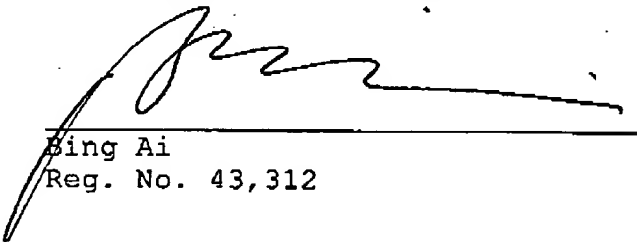
Notably, it is well known in the optical disk drive industry that the slider of the optical head can directly contact the optical disk. However, it is not known that the optical surface of the lens 22 be in direct contact with the optical disk. Katao certain fails to provide any evidence to show any direct contact between the bottom optical surface of the lens 22 and the optical disk.

For the above reasons, it is respectfully suggested that Claim 1 is distinctly patentable under 35 USC 102(e) over Katao.

Applicant asks that Claim 1 be allowed, along with Claims 2-23. No fee is due for this filing. Please apply all applicable charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: October 28, 2005

  
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